

ORIGINAL

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHENER JOSEPH,

Plaintiff,

vs.

GAINES TRANSPORTATION SERVICES,
INC. and EDWARD L. ENGRAM,

Defendants.

Civil Action No.: CV 04 1375 (Judge
Block) *(MB)*

**STIPULATION AND ORDER OF
DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is dismissed with prejudice, without costs to either party as against the other.

Dated: May 9, 2005
New York, New York

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SO ORDERED:

U.S.D.J.

[Handwritten signature] 5/24/05